

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**ANTHONY EDWARDS, PATRICIA HUNT,
ESSIE MAE AUSTIN, and SANDRA COLEMAN**

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 4:05CV177-P-D

**COLDWELL BANKER REAL ESTATE
CORPORATION, COLDWELL BANKER
FIRST GREENWOOD-LEFLORE REALTY,
INC., LEFLORE PROPERTIES, INC., JIM
PRUETT, LINDA PRUETT, BANK OF COMMERCE,
STATE BANK & TRUST COMPANY, and
CIMARRON MORTGAGE COMPANY**

DEFENDANTS

ORDER

This cause is before the Court on the defendant Cimarron Mortgage Company's Motion for Order Granting Motion to Dismiss as Unopposed Pursuant to Local Rule 7.2(C)(2) [61] and plaintiffs' Response and Cross-Motion for Permission to File Response Out of Time [67]. The Court, having reviewed the motion, the response, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

That the plaintiff's Cross-Motion for Permission to File Response Out of Time is well-taken and should be granted for the reasons articulated by the plaintiffs in said motion. The plaintiffs are to file their response and memorandum brief in opposition to the defendant's Motion to Dismiss [14] within ten (10) days of the entry of this Order. Plaintiffs are not to request, nor will they be granted, any extensions of time to respond to defendant Cimarron's pending dispositive motion. By virtue of the Court's decision on the plaintiff's Motion for Permission to File Response Out of Time,

defendant's Motion for Order Granting Motion to Dismiss as Unopposed Pursuant to Local Rule 7.2(C)(2) is rendered moot.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the plaintiffs' Cross-Motion for Permission to File Response Out of Time [67] is well-taken and should be, and hereby is, GRANTED. IT IS FURTHER ORDERED that the plaintiffs are to file their response and memorandum brief in opposition to the defendant's Motion to Dismiss [14] within ten (10) days of the entry of this Order, on or before March 13, 2006. IT IS FURTHER ORDERED that defendant's Motion for Order Granting Motion to Dismiss as Unopposed Pursuant to Local Rule 7.2(C)(2) should be, and hereby is, DISMISSED AS MOOT.

THIS, the 17th day of February, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE